

**Office of Federal and State Accountability
ESEA Flexibility Waiver
Parent Notification Submission Timeline
2013-2014 School Year**

Status	Required Document Submission to Office of Federal and State Accountability	Submission Date to OFSA
<p style="text-align: center;">Focus Schools</p> <p>Lowest performing schools equal to 10% of the Title I served schools with underperforming subgroups or large subgroup gaps – Primary Schools excluded</p> <p><i>Note: Districts Focus Schools must set aside 10% of their Title I allocation for Choice and SES unless a lesser amount is approved by the Office of Federal and State Accountability.</i></p> <p style="text-align: center;">Or</p> <p style="text-align: center;">Priority School</p> <p>Lowest performing schools equal to 5% of the Title I served schools based on total weights composite index scores – Primary Schools excluded</p> <p><i>Note: Districts with one or more Priority Schools must set aside 20% of their Title I allocation for Choice and SES unless a lesser amount is approved by the Office of Federal and State Accountability</i></p>	<p>Copy of written parent/public notification of school status containing the appropriate information as required by law to include information that details why the school is in the Focus or Priority status, and what the school will do to address factors that cause the school to be in the status, etc.</p> <p>Copy of written parent/public notification of Public School Choice containing the appropriate information as required by law (Notice to parents no later than 14 calendar days before the opening of school – on or before August 6, 2013) Note: Title I Public School Choice will be offered with transportation provided. As choice of at least two schools will be offered if available schools exist. Any school not identified as a Priority or Focus school may serve as a school of choice.</p> <p><i>Note: Status and Choice notifications may be combined into one document.</i></p> <p>Copy of written parent notification of SES containing the appropriate information as required by law (Provide information as early as possible in the school year and begin offering SES in a timely manner thereafter). See SES Required Documentation at the end of this timeline.</p> <p>Note: For Priority Schools, SES will be offered to all students at the school, not just to F/R lunch students as in the past. For Focus Schools, SES will be provided to students not meeting proficiency on state standards for ELA, math, and science at the school (not just to F/R lunch students as in the past).</p>	<p>September 6, 2013</p> <p>September 6, 2013</p> <p>January 24, 2014</p>

Please submit all Parent Notification letters no later than the date listed in the third column. Documentation should be delivered via mail, fax, or e-mail (PDF with appropriate signatures) to the attention of:

Jewell Stanley
South Carolina Department of Education
1429 Senate Street, Room 512 A
Columbia, SC 29202
Email – jstanley@ed.sc.gov
Phone: 803-734-8131 Fax: 803-734-3290

Request to set aside a lesser amount of Title I funds for Choice and SES

District _____

Contact Person _____ Date _____

Please check one:

☐ We request permission to reduce the district set-aside amount of 20% for Choice and SES for the following Priority Schools

_____	_____
_____	_____
_____	_____

☐ We request permission to reduce the district set-aside amount of 10% for Choice and SES for the following Focus Schools

_____	_____
_____	_____
_____	_____
_____	_____

Explanation of request to reduce amount of funds set aside for Choice and SES. Please check all that apply.

☐ The number of students eligible for SES in the identified school(s) would maximize expenditures below the required set aside.

_____	_____	_____	_____
# of students	Required set aside	Maximum	Amount needed

☐ The district will pay transportation costs for Choice students using other funds.

☐ There are no choice options in the district.

For Office of Federal and State Accountability Use Only

☐ Request Approved

☐ Request Denied

Director's Signature

SES Required Documentation for Submittal to Office of Federal and State Accountability

All districts with Focus or Priority status must submit a copy of the notification to parents about the availability of SES services. Please include a copy of the entire packet that was provided to parents. As stated in the USDOE guidance issued on January 14, 2009, the notice to parents must:

- Explain how parents can obtain SES for their child [*Section 1116(e)(2)(A)(i); 34 C.F.R. §200.37(b)(5)(i)*].
- Identify each approved SES provider within the LEA or in its general geographic location, including providers that are accessible through technology, such as distance learning [*Section 1116(e)(2)(A)(ii); 34 C.F.R. §200.37(b)(5)(ii)(A)*].
- Describe briefly the services, qualifications and evidence of effectiveness for each provider [*Section 1116(e)(2)(A)(iii); 34 C.F.R. §200.37(b)(5)(ii)(B)*]. (See G-4.)
- Indicate providers that are able to serve students with disabilities or LEP students [*34 C.F.R. §200.37(b)(5)(ii)(B)*]. (See G-4.)
- Include an explanation of the benefits of receiving SES [*34 C.F.R. §200.37(b)(5)(ii)(C)*]. (See G-5.)

Additionally, an LEA should describe the procedures and timelines that parents must follow to select a provider to serve their child, such as where and when to return a completed application, when and how the LEA will notify parents about enrollment dates and start dates; and whom to contact in the LEA for more information. If an LEA anticipates that it will not have sufficient funds to serve all eligible students, it should also include in the notice information on how it will set priorities in order to determine which eligible students receive services. (See F-3.)

In addition, guidance issued by the United States Department of Education on January 14, 2009, included provisions that a LEA must follow if the LEA does not expend the entire required 20 percent on SES and Public School Choice required activities. The section below from the January 14, 2009, guidance (page 5) outlines required actions that an LEA must take before the LEA can use the required **20% (Priority Schools) OR 10% (Focus Schools)** on other allowable activities. LEAs that wish to use the required **20% (Priority Schools) OR 10% (Focus Schools)** on other allowable activities must submit the required **20% (Priority Schools) OR 10% (Focus Schools)** on Other Allowable Activities Assurance Form. The assurances as listed below are required actions that must be taken before using the required **20% (Priority Schools) OR 10% (Focus Schools)** for other allowable activities.

- Partner, to the extent practicable, with outside groups, such as faith-based organizations, other community-based organizations, and business groups, to help inform eligible students and their families of the opportunity to receive SES;
- Ensure that eligible students and their parents have a genuine opportunity to obtain SES, including by—
 - Providing timely, accurate notice; and
 - Ensuring that sign-up forms for SES are distributed directly to all eligible students and their parents and are made widely available and accessible through broad means of dissemination;
- Provide a minimum of two enrollment “windows,” at separate points in the school year, that are of sufficient length to enable parents to make informed decisions about SES and selecting a provider; and
- Ensure that SES providers are given access to school facilities, using a fair, open and objective process, on the same basis and terms as are available to other groups that seek access to school facilities [34 C.F.R. §200.48(d)(2)(i)]. (See L-1.)

**Requirements for LEAS That
Do Not Meet Their 20% (Priority Schools) OR 10% (Focus Schools) Obligation
2013–14 School Year
Assurance Form**

District: _____

Unless an LEA meets the criteria described below, an LEA that does not meet its **20% (Priority Schools) OR 10% (Focus Schools)** in a given school year must spend the unexpended amount in the subsequent school year on choice-related transportation, SES, or parent outreach and assistance (subject to the limitations). The LEA must spend the unexpended amount in addition to the funds it is required to spend to meet its **20% (Priority Schools) OR 10% (Focus Schools)** obligation in the subsequent school year.

To spend less than the amount needed to meet its **20% (Priority Schools) OR 10% (Focus Schools)** obligation and to use the unexpended amount for other allowable activities in a given school year, an LEA must meet, at a minimum, all of the following criteria:

- 1) Partner, to the extent practicable, with outside groups, such as faith-based organizations, other community-based organizations, and business groups, to help inform eligible students and their families of the opportunity to transfer (Choice) or receive SES (Tutoring).
- 2) Ensure that eligible students and their parents have a genuine opportunity to sign up to transfer or to obtain SES, including by:
 - Providing timely, accurate notice to parents;
 - Ensuring that sign-up forms for SES are distributed directly to all eligible students and their parents and are made widely available and accessible through broad means of dissemination, such as the Internet, other media, and communications through public agencies serving eligible students and their families; and
 - Providing a minimum of two enrollment windows, at separate points in the school year, that are of sufficient length to enable parents of eligible students to make informed decisions about requesting SES and selecting a provider.
- 3) Ensure that eligible SES providers are given access to school facilities, using a fair, open and objective process, on the same basis and terms as are available to other groups that seek access to school facilities.
- 4) Maintain records that demonstrate the district has met the criteria as listed in numbers 1–3. These records will be reviewed during the regular monitoring process but may be reviewed at the discretion of the SCDE.

By signing this assurance, I am notifying the South Carolina Department of Education that the district has met the criteria as listed above and intends to spend the remainder of its 20 percent obligation in the amount of \$ _____ on other allowable activities.

Superintendent's Signature: _____

Date: _____

Examples of Evidence/Additional Guidance

- 1) Partner, to the extent practicable, with outside groups, such as faith-based organizations, other community-based organizations, and business groups, to help inform eligible students and their families of the opportunity to transfer (Choice) or receive SES (Tutoring).
 - Maintain a list of partner groups with an explanation of how the group assisted (announced in church on XXX dates; posted Choice and SES information on a bulletin board in the waiting room or commons area; passed out SES and Choice literature on XXX dates; made announcements about the LEA's upcoming SES and/or public school choice events and timelines; helped the LEA write parent-friendly letters, etc.).
 - If the LEA is not able to recruit any partners, the LEA should maintain records documenting the reasons why.
 - An LEA may partner with an SES provider to meet the criterion. The LEA should ensure that a provider serving as a partner with the LEA is able to provide parents with information in a fair and unbiased manner that does not favor one provider's program over another. However, the LEA has the discretion to reject the offer of a provider that wants to serve as a partner if the LEA has concerns that the provider, by virtue of its competitive position, would be unable to be fair and unbiased or if the LEA does not believe it is practicable to enter into such a partnership for any other reason.
- 2) Ensure that eligible students and their parents have a genuine opportunity to sign up to transfer or to obtain SES, including by:
 - Providing timely, accurate notice to parents;
 - Documentation of the date SES and/or public school choice notices were provided to parents (dated notices, newspaper page that includes date of the newspaper, dated e-mail notice, etc.). The date for SES must be close to the beginning of the school year (August/September) and SES services must be offered in a timely manner thereafter. Public school choice must be no later than 14 calendar days before the start of the school year.
 - Ensuring that sign-up forms for SES are distributed directly to all eligible students and their parents and are made widely available and accessible through broad means of dissemination, such as the Internet, other media, and communications through public agencies serving eligible students and their families.
 - Maintain a copy of accurate notices with all required information to parents with documentation of how the notice was delivered (copy of a sampling of e-mails, copy of notice with a copy of address labels, copy of newspaper clipping, etc.).
 - Providing a minimum of two enrollment windows for SES, at separate points in the school year, that are of sufficient length to enable parents of eligible students to make informed decisions about requesting SES and selecting a provider.
 - Maintain a copy of accurate notices of at least two enrollment periods that include the date enrollment begins and the ending date of the enrollment periods. To meet the requirement, each enrollment period must be at least two weeks in length and must not restrict the time of enrollment so that it is inconvenient for working parents and single parents to sign up for SES.

- As an example, the LEA might allow students to enroll in SES during the early fall, coinciding with the start of school, and hold a second enrollment window in late fall or early winter, after a grading period has ended.
 - Include in the first enrollment letter information about if and when the district will be providing an additional enrollment window in the future.
 - Districts that provide an "open enrollment" window all year for SES meet the criterion to provide a minimum of two enrollment windows at separate points in the school year.
- 3) Ensure that eligible SES providers are given access to school facilities, using a fair, open and objective process, on the same basis and terms as are available to other groups that seek access to school facilities.
- Maintain a copy of the district facility use policy. The policy should be easily understood by providers and parents. Furthermore, the policy must give SES providers access to school facilities in the same manner and on the same basis as it gives access to other outside organizations. (It does not require an LEA that does not permit outside groups to use its school facilities to allow SES providers to do so.)
 - Maintain documentation of requests to use the school.
 - Maintain a list of SES providers that use the facility.

Our office, as required by the United States Department of Education, will monitor documentation as outlined in the assurance form during the regular Title I monitoring review. However, our office will review on an annual basis any district regarding implementation of the public school choice or SES requirements that

- 1) has spent a significant portion of its **20% (Priority Schools) OR 10% (Focus Schools)** obligation for other activities;
- 2) has been the subject of multiple complaints, supported by credible evidence; and/or
- 3) is not implementing public school choice or SES in accordance with law or regulations

For questions specific to your school or district situation, please contact for SES questions Basil Harris by telephone at 803-734-8373 or by e-mail at bharris@ed.sc.gov or Jewell Stanley by telephone at 803-734-8131 or by e-mail at jstanley@ed.sc.gov. Title I public school choice questions should be directed to Jewell Stanley by telephone at 803-734-8131 or by e-mail at jstanley@ed.sc.gov.